

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ECCLESIA CONSTRUCTION COMPANY,
LLC d/b/a ECCLESIA BUILDINGS
STRATEGIES,

Third-Party Plaintiff,

vs.

CHIEF INDUSTRIES, INC. d/b/a CHIEF
BUILDINGS,

Third-Party Defendant.

8:24CV136

**ORDER ON STIPULATION OF
DISMISSAL WITHOUT PREJUDICE**

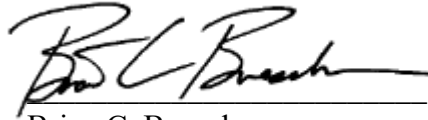
On April 16, 2024, District Judge Daniel L. Hovland of the United States District Court for the District of North Dakota transferred only Ecclesia's third-party complaint against Chief Industries to this Court. [Filing 53](#). On June 5, 2024, this case was reassigned to the undersigned for disposition. [Filing 85](#). The day before the case was reassigned, the parties to this third-party action filed a Stipulation of Dismissal Without Prejudice signed by counsel for these parties. [Filing 84](#). The parties stipulate that, pursuant to [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)\(ii\)](#), this action may be dismissed without prejudice. [Filing 84 at 1](#). They stipulate further that neither party is seeking costs or disbursements on this matter at this time, but in the event Third-Party Plaintiff Ecclesia reinstates its claims against Third-Party Defendant Chief, then Chief intends to seek both prior and future costs and/or disbursements at that time. [Filing 84 at 1](#). Accordingly,

IT IS ORDERED that the parties' Stipulation of Dismissal Without Prejudice is granted, [Filing 84](#), and pursuant to that Stipulation and [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)\(ii\)](#), this action is dismissed without prejudice, with no award of costs at this time, but without prejudice to

a subsequent claim for prior and future costs and/or disbursements if this third-party action is reinstated.

Dated this 6th day of June, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge